

IN THE HIGH COURT OF UTTARANCHAL AT NAINITAL

(Chapter VIII Rule 32(2) (b)
Description of the case.

Writ Petition No. 692 of 2002 (S/B)

Date of decision: 20th September, 2004

For the approval of:

Hon'ble Chief Justice V.S. Sirpurkar.

Hon'ble Mr. Justice Irshad Hussain.

- Whether the order/judgment should be sent to the reporters for reporting? (—)
- Whether the reporters be allowed to see the judgment? (**Yes**)

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IN THE HIGH COURT OF UTTARANCHAL AT NAINITAL

Writ Petition No. 692 of 2002 (S/B)

Dharmendra Prasad Upreti,
S/o Late Sri Ram Dutt Upreti,
R/o 5 Bhargav Galli, Devpura,
Haridwar.

..... Petitioner

Versus

State of Uttaranchal,
Through Secretary, Finance & others.

..... Respondents

Mr. Lok Pal Singh, learned counsel on behalf of the petitioner.
Ms. Beena Pandey, learned Standing Counsel for the State of U.P.

Coram: Hon'ble V.S. Sirpurkar, C.J.
Hon'ble Irshad Hussain, J.

(Per Hon'ble the Chief Justice)

1. Heard learned counsel for the parties.

2. In this writ petition, the petitioner is craving for his G.P.F. amount of 14 months, which was not paid to him for some technical difficulties when he retired on 30.09.1994. Ever since then, it seems that he is clamoring for that payment. There were some objections raised and it seems that those objections have now been met. On that, Ms. Beena Pandey, learned Standing Counsel for the Govt. of U.P. promised on 6.5.2004 to make the payment of the remaining amount to the petitioner, obviously, with interest of 9% p.a. on that amount. Thereafter also, the payment was not made. Therefore, an order came to be passed on 2.08.2004 giving two weeks time, which was sought for by the learned Standing Counsel as the last resort.

3. Today, also, inspite of a lapse of about 6 weeks thereafter, the payment has not been made and today, Ms. Beena Pandey, learned Standing Counsel only makes a statement that the payment is being processed and would be made within four weeks.

4. We, accordingly, record this statement and direct the payment to be made to the petitioner along with interest of 9% p.a. within four weeks from today. This shall be the payment sought for in the writ petition i.e. 14 month's G.P.F. If the payment is not made within the prescribed time, the petitioner shall move the Court for contempt.

5. With these orders, the writ petition is disposed of. All the applications in this writ petition are also closed.

(Irshad Hussain, J.)
20.09.2004

(V.S. Sirpurkar, C.J.)
20.09.2004

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